

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Teleshuttle Technologies, L.L.C.,

NO. C 04-02927 JW

Plaintiff,

v.

Microsoft Corporation,

Defendant.

**ORDER DENYING PROPOSAL FOR
BRIEFING THE EFFECTIVE FILING
DATE ISSUE AS PART OF THE
MARKMAN PROCESS**

On November 23, 2005, Defendant Microsoft Corporation filed a Proposal for Briefing the Effective Filing Date Issue as Part of the Markman Process (Docket Item No. 154.) Upon review of the parties' papers, the Court does not find that further briefing on this issue is appropriate at this time. During the claim construction process, the Court is mindful of the parties' dispute regarding the effective filing dates of the patents-in-suit, and the Court's obligation to construe the claims as of their effective filing date. Should the Court later find that such briefing is necessary, the Court will direct the parties to so file.

Dated: January 4, 2006

04eciv2927addbrief

/s/ James Ware

JAMES WARE

United States District Judge

THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

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Dated: January 4, 2006

Richard W. Wicking, Clerk

**By: /s/ JW Chambers
Melissa Peralta
Courtroom Deputy**